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Many aging, disabled and handicapped adults have impairments which prohibit their living independently without supportive services and which put them at risk of being institutionalized. These persons have varying needs, depending on their health, income and home situation. The full continuum of community services should be available for these persons so that their needs can be addressed appropriately and so that they can be given every opportunity to remain in the community.

Adult day care services should be a part of the continuum of services in every community. By providing a protective setting, supportive services and opportunities for socialization, stimulation and enrichment, adult day care can help to meet the needs of adults who require supervision, or who are isolated or are otherwise in need of an intensive, supervised regimen of activities and services during the day. Through the provision of these services and activities, adult day care can help such persons to maintain or increase their ability to function with some degree of independence, thereby enhancing their prospects for staying in the community and living satisfying, meaningful lives.

Additional support to the individual should be provided as a part of adult day care services through the involvement of the family, including relatives and other significant persons who constitute the individual's emotional, psychological and economic support systems. Achievement of the individual's goals can be more effectively accomplished through this involvement with longer lasting results. The family should be involved beginning with the initiation of services and should continue to be involved throughout the family member's participation in the program.

On January 4, 1975, the President signed into law Title XX of the Social Security Act creating a new basis for federal, state, and local cooperation in the provision of Social Services to the nation's people. During the period of planning and public input prior to the implementation of Title XX in North Carolina, concerns were expressed about the need for services to assist with the care of the aging and the functioning of dependent adults. The Final Comprehensive Annual Services Program Plan initiated on October 1, 1975 included Day Care Services for Adults as an optional service to help meet these needs.

In accordance with its authority under North Carolina General Statute's 143B-153, the North Carolina Social Services Commission established rules and regulations for the provision of Day Care Services for Adults as defined in the Comprehensive P Services Program Plan. In November, 1979, the Social Services Commission established rules governing the provision of Day Care Services for Adults under the State In-Home Services Fund. The rules specify that Day Care Services for Adults will be provided in accordance with the same standards, policies and procedures as are applicable for federal funding of this service.

In November, 1981, the Social Services Commission established rules governing the provision of Day Care Services for Adults under the State Adult Day Care Fund. Under these rules, Day Care Services for adults will be provided in accordance with the same standards, policies, and procedures as are applicable for federal funding of this service.

In June, 1985, the North Carolina General Assembly ratified an act to require the certification of adult day care programs. Under the authority of that act, which amended the General Statutes by adding a new section to Chapter 131D, the Social Services Commission adopted standards for programs providing Day Care Services for Adults and established penalties for failure to comply with these standards.

A. Definition of Adult Day Care Services

Adult day care means a program established for the purpose of providing group care and supervision on a less than 24—hour basis to adults who are physically or mentally disabled. The following programs are exempted from the provisions of G.S. 131D-6 and, therefore, are not required to be certified:

- Those that care for three people or less;
- Those that care for two or more persons, all of whom are related by blood or marriage to the operator of the facility;
- Those that are required by other statutes to be licensed by the Department of Human Resources.

Primary Service

Day Care Services for Adults is the provision of an organized program of services during the day in a community group setting for the purpose of supporting adults' personal independence, and promoting their social, physical, and emotional well-being. Services must include a variety of program activities designed to meet the individual needs and interests of the participants, and referral to and assistance in using appropriate community resources. Also included are medical examinations required for individual participants for admission to day care and periodically thereafter when not otherwise available without cost, food and food services to provide a nutritional meal and snacks as appropriate to the program, and transportation to and from the service facility when needed and not otherwise available.

Homes or centers providing the service must be certified to meet state standards for such programs. Services include recruitment, study and development of adult day care programs, evaluation and periodic reevaluation to determine if the programs meet the needs of the individuals they serve, and consultation and technical assistance to help day care programs expand and improve the quality of care provided.

Components

None

Target Population

Adults who because of age, disability or handicap need the service to enable them to remain in or return to their own homes.

1. “Adult” means an individual eighteen years of age or older.
2. “Activities” mean the activities and services provided by the adult care program, including but not limited to social and educational events physical activity, and outings.
3. “Certification” means the process whereby an adult day care program is approved as meeting standards.
4. “Activities of Daily Living” means self-care activities necessary to maintain one’s home and to care for personal needs.
5. “Own Home” means a residence an individual maintains for himself or is maintained for him by his caretaker, including relatives. “Own Home” does not include any group living arrangement.
6. “Nursing Care” means care in a skilled nursing facility or intermediate \care facility.
7. “Group Care” means homes for the aged, family care homes, group homes for developmentally disabled adults, skilled nursing facilities, intermediate care facilities and other group living facilities which provide care, services and supervision.
8. “Aging” means 60 years of age or older.
9. “Disabled” means unable to engage in any substantial activity necessary for self—care or self—support by reason of a medically determinable physical or mental impairment which can be improved, corrected or ameliorated but which can be expected to last, or has lasted for a continuous period of not less than twelve months.
10. “Handicapped” means impaired in mind and/or body with reasonable certainty that, because of the irremediable character of the impairment, the impairment cannot be improved, corrected or ameliorated and will continue at the same level of seriousness throughout the lifetime of the individual.
11. “Services plan” means a plan developed in accordance with Policy in Family Services Manual, Volume V, and Chapter VII.

See Adult Day Care and Day Health Services Standards Appendix B for additional definitions and terms related to adult day care and day health.

IV. Goals and Objectives

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Day Care Services for Adults will be a means to pursuing or maintaining client goals in the following ways:

A. Economic Self-support

Increasing Caretaker Employability

Able-bodied persons who are responsible for providing the care required by a dependent adult can seek and accept employment if provisions can be made for care during working hours.

B. Personal Self-sufficiency

Providing a means of overcoming social isolation and its motivational effects

This service, by creating contact among persons who are often socially isolated, aids in overcoming the loss of self-esteem and self-respect that comes with isolation and promotes maintenance of good physical and mental health.

Providing for developmentally disabled participants, training in skills needed in everyday living which will help them reach their maximum level of independent functioning.

C. Preventing or Remediating Abuse, Neglect or Exploitation

Aiding in achievement of the goal of "Personal Self-sufficiency"

Day activity programs bring aging and disabled persons out of social isolation and help to promote a sense of self-worth and interest in daily life so that they are less likely to neglect themselves. Thus, progress in becoming self-sufficient prevents or remedies self—neglect.

Reducing the burden of an overwhelmed caretaker

A caretaker who is or would be overwhelmed by the responsibility of providing full-time care of a dependent adult is often prone to frustration, aggression, or burn—out. Such aggression, in turn, is often directed at the dependent adult, or the burnt-out caretaker may be unable to provide the necessary care. Partial relief of responsibility for providing care is frequently sufficient to overcome these causes of abuse and neglect.

D. Avoiding Inappropriate Institutional Care

Allowing a dependant adult's family to attain or maintain the goal of "Economic Self-Support"

Providing care for a dependent adult during working hours is often necessary for able-bodied members of that person's family to become employable or to remain employable. The income gained from such employment may determine whether or not such a person's family is able to afford to maintain him or her at home.

Providing services to persons whose needs are not actually sufficient to require institutionalization if there is a community- based care alternative.

A. Client Eligibility

Before Adult Day Care Services may be provided to an individual, eligibility must be determined and documented by the appropriate county department of social services in accordance with Family Services Manual Volume VI, Chapter II. Federal and state financial participation is available in the cost of providing this service only if the recipient is eligible in accordance with established criteria.

1. Need for the Service

An individual must be determined to be within the target population as identified in Section 5110, page 1 of this chapter to be eligible for Adult Day Care Services.

- a. If the individual falls within the target population, documentation of that fact is required. Documentation must be on the DSS-1325 or in the narrative case record which shows that because of age, disability or handicap, the individual needs the service to enable him/her to remain in or return to his/her own home. The specific location of the documentation must be referenced on the DSS-5027 by page number, date, or other specific location in the record.
- b. If an individual does not need the service (i.e. does not fall within the target population), the service is denied or terminated and the basis for the agency's decision must be documented on the DSS-1325 or in the narrative case record and communicated to the client on the DSS-5027 or other form.
- c. No additional eligibility criteria can be imposed on applicants for Day Care Services for Adults.

A client's need for transportation to the adult day care program cannot be an issue in determining eligibility. If the client falls within the target population, the client is eligible regardless of where he lives in the county in relation to existing transportation resources.

2. Priority Groups

Once an individual is determined to be eligible for the service (i.e., falls within the target population), it shall be provided according to the following order of priority:

- a. Adults who require complete, full-time daytime supervision in order to live in their own home or prevent impending placement in substitute care, and adults who need the service as part of a protective services plan.

Impending placement in substitute care means that the client's physician has recommended skilled nursing, intermediate, or domiciliary home care; or the client has applied for admission to such a facility; or the client's family states that placement in such a facility is about to occur.
- b. Adults who need help for themselves with activities of daily living and/or support for their caretaker in order to maintain themselves in their own homes.

- c. Adults who need intervention in the form of enrichment and opportunities for social activities in order to prevent deterioration that would lead to placement in group care.

Intervention in the form of enrichment and opportunities for social activities is directed toward individuals who are isolated and withdrawn and who, because of their withdrawal, are in danger of deteriorating mentally and physically. Individuals who are lonely and who could benefit from planned social and recreational activities, but who are able to function independently, should be referred to an organization designed to meet such needs, not to adult day care.

- d. Individuals who need time-limited support in making the transition independent living to group care, or individuals who need time- limited support in making the transition from group care to independent living.

(1) Individuals enrolled in an adult day care program who are no longer able to maintain themselves in an independent living situation and for whom placement in group care is necessary may continue attending the adult day care program for a maximum of ninety days after entering the group care facility. This time- limited participation in adult day care is for the purpose of providing support during the period of adjustment to the new living situation. State and federal funds may not be used to support the provision of adult day care for individuals in group care beyond this ninety-day period.

(2) Adult day care services may be provided for an individual preparing to leave a group care facility for an independent living arrangement for a period of up to ninety days prior to the individual's discharge from the group care facility. Adult day care in this instance is intended to assist the individual in preparing for independent living and for the move from the group care facility. The individual must fall within the target population on page I of this section after discharge from the group care facility in order to continue to receive the service.

The basis for the agency's determination that the client falls within a specific priority group must be documented on the DSS-1325 or in the narrative case record.

At times, Day Care Services for Adults may not be available in sufficient amounts to meet the requests from eligible individuals. In these instances, the policies and procedures on waiting lists in Family Services Manual, Volume VI, and Chapter II are applicable.

3. Client Eligibility in Relation to Adult Day Care Program Enrollment Criteria

If an eligible client cannot be enrolled in an adult day care program because he does not meet the day care program's written enrollment criteria, the service is denied to the person because it is not available to him.

If a day care program's written enrollment criteria limit the number of persons with certain conditions (e.g., wandering behavior) which can be served at any one time, and

an eligible client with such a condition cannot be accepted because the program has its maximum number of persons with that condition; the client must be considered for enrollment at the first opening for persons with that condition.

B. Fees and Charges

1. Policies governing fees for services are in Volume VI, Chapter III of the Family Services Manual. Reference should be made to that Manual chapter for policies regarding fees for Adult Day Care Services.

C. Scope of Services

1. The following activities and services are considered part of Day Care Services for Adults for purposes of reimbursement of funds administered by the Division of Social Services.
 - a. The activities and services provided by a certified adult day care center or home as approved through the certification process. (See Section 5125 of this manual and Adult Day Care and Day Health Services Standards for Certification.)
 - b. Social work activities of the county department of social services, including: Recruitment study and development of adult day care programs. evaluation and periodic re-evaluation to determine if the programs meet the needs of the individuals they serve, and consultation and technical assistance to help day care programs expand and improve the quality of care provided. (See Section 5125 for further discussion of these activities.)

Medical examinations required for participants for enrollment in day care and annually thereafter when not otherwise available without cost.

- c. Every effort should be made to obtain such examinations through screening clinics or using Medicaid. However, if no financial or medical resources are available to cover the cost, the county department of social services may pay for and claim reimbursement for such examinations for eligible persons as adult day care services. Reimbursement of Federal/State funds is available for such examinations. Refer to the Adult Day Care and Day Health Services Standards for Certification V.A.1 (d) pages 28-29 for information which must be obtained in such examinations. Reimbursement cannot be claimed for medical treatment provided for participants.
- d. Transportation

Transportation to and from the day care program is a mandatory component of adult day care services which must be provided when necessary to enable participants to attend the adult day care program. The participant's family should be encouraged to provide transportation, if possible. In some areas, public transportation may be available and participants should be encouraged to use such resources if physically and mentally able to do so. Reimbursement of

Federal/State funds may be claimed in accordance with fiscal policies for the cost of transporting participants to and from the day care program when provided or arranged by the day care program or by another organization.

2. For purposes of reimbursement of funds administered through the Division of Social Services assessment with the individual and/or his family of the appropriateness of and need for initial or continued care is reported as case management In—home services or intake, assistance in arranging for and in using day care for the individual's maximum benefit is reported and reimbursed under the appropriate service, such as individual and family adjustment services, Protective Services for Adults, etc., depending on the focus of work with the client and the service plan. When it is not appropriate to report these activities as a part of the provision of a specific service, such activities will be reported as Case Management In-Home Services.

D. Service Codes

For the purposes of statistical and fiscal reporting, the following activities should be reported with the code 030, Day Care Services for Adults:

- Day care program activities
- Social work activities of consultation,
- Monitoring and certification of adult day care programs.

Transportation, defined as transporting clients to and from the day care program and their homes is reported with the code 250.

E. Payment Methods for Day Care Centers and Homes

Adult Day Care may be provided directly by the county department of social services, or by vendor agreement, or by purchase of services contract. The county department may choose to use one or more of these methods concurrently if more than one program is operating in the county.

For all methods of service provision, reimbursement for services must be claimed in accordance with established fiscal reporting requirements.

1. Agency Operated Day Care Program

a. Scope

County departments of social services may operate their own adult day care programs.

b. Reimbursement

Reimbursement of Federal/State funds is paid for the cost of operating the adult day care program in accordance with an annual budget. Included are costs of staff, transportation, meals, facility, supplies and equipment and other expenses directly related to program operation.

Reimbursement will be made in accordance with procedures established by the Division of Social Services.

2. Vendor Agreement

a. Scope

Under a vendor agreement, the county department of social services agrees to purchase adult day care from a certified day care program at a standard fixed rate per month of service. A Vendor Agreement, DSS 2252, is negotiated annually with the day care program specifying the services to be provided and the payment rate. The day care program must be certified before the agreement is finalized. The DSS-5027 is used to authorize services for an eligible client.

b. Reimbursement to Vendor Providers

The policy governing the use of the standard fixed rate is in Volume VI, Chapter IV of the Family Services Manual. Section 5130 of this manual chapter contains policies for reimbursement under a vendor agreement. Reimbursement will be made in accordance with procedures established and outlined in the Division of Social Services' Fiscal Manual. Fees for services must be reported in accordance with established fiscal reporting requirements.

3. Purchase Contract

a. Scope

Adult Day Care may be purchased from an agency or organization through a local contract negotiated by the county department of social services. Contracts must comply with guidelines for contracting issued by the Division of Social Services in Volume VI, Chapter IV of the Family Services Manual. Form DSS-5027 is used to authorize service provision to an eligible individual.

b. Reimbursement to Contract Providers

Reimbursement for Day Care Services for Adults purchased under contract will be made in accordance with the approved budget as specified in Volume VI, Chapter IV of the Family Services Manual. Reimbursement for contracts will be made in accordance with procedures established and outlined in the Division of Social Services' Fiscal Manual. Fees for services must be reported in accordance with established fiscal reporting requirements.

F. Social Work Activities with Clients

The county department of social services has certain responsibilities regarding the participation of clients in adult day care services.

1. Family Centered Approach 5120

In a sense, an adult day care services program is a family centered approach to the care of adults in the community. It can work to strengthen the relationship between the program participant and his family, to support the current care giving arrangement, to assure that the participant is receiving the appropriate type and amount of care, and to prevent any unnecessary removal or separation of the dependent adult from his home, family and community. This provision of service to both the participant and family can be achieved in different ways depending on the circumstances. The family should be involved beginning with the initial contact and should continue to be involved throughout the family member's participation in the program. The service plan can be strengthened through family involvement. Achievement of participant goals can be more effectively accomplished with longer lasting results when families participate in planning and follow through.

For purposes of the provision of day care services for adults, county departments of social services staff should consider that:

The family continues to be a significant unit within our society whether as immediate family, extended family, or non-related but significant persons.

All persons in a family deserve to have their attitudes, contributions, concerns and potential respected and considered.

Participants and their families should be given the opportunity to find their own ways to resolve problems.

Each situation and person should be treated individually, recognizing and taking into consideration any unique factors.

Each person in a family should be allowed to engage in decision- making and care giving to the extent that he can and desires.

Families have varying values, culture and lifestyles that should be taken into account during intervention, problem-solving and treatment.

Each participant has individual rights to choose not to engage his family in service planning and his needs should still be adequately addressed.

2. Interpretation of Adult Day Care Services and Assistance in Arranging for services.

- a. adult day care and the reason for suggesting it as a service which could be of benefit to the individual should be clearly explained to the individual, and to family members if possible and appropriate, so that they will have a clear understanding of the nature of the service and of its purpose in relation to the client.

The client's understanding of the service will have a definite effect on his perception of whether or not he needs and can benefit from it. Since adult day care is a voluntary service and the client's cooperation is essential to its effectiveness, every effort should be made to insure the client understands of what is involved. It may be helpful to arrange a preliminary visit to the day care program so that the client can observe and talk with participants and staff.

In discussing adult day care as an appropriate service for the individual, the social worker should be knowledgeable about all of the services available in the community for elderly and disabled adults. Other resources which may be available include: senior centers, social clubs, congregate meal sites, community living services, day treatment and partial hospitalization programs, in-home aide services and home health services in addition to residential care programs. It is important that the social worker be able to relate to these other services and organizations in the discussion, as necessary and appropriate.

- b. The social worker should be knowledgeable about the enrollment criteria and procedures of day care programs in the county in order to make appropriate referrals for enrollment. The day care program reviews referrals and retains the authority to make the final decision as to whether or not to accept a referral.
 - c. Having referred an individual to a day care program, the social worker may need to assist the person in completing the application for enrollment, including the compilation of social and medical information. A physical examination is required as part of the enrollment process and the client may need assistance in arranging for the examination. The social worker may need to consult with day care staff to facilitate the individual's entry into the program.
 - d. Consideration must be given to the number of days per week which the client should attend the program for maximum benefit. For many individuals, participation on a five-day-per-week basis is desirable; however, in some cases, full-time attendance may not be possible or warranted because of the frailty of the individual, because the family is able to provide needed support and assistance part of the week, or for other reasons. In addition, some clients may be reluctant initially to commit themselves to attendance five-days-per-week. These factors should be taken into consideration in planning with the client and day care program staff regarding the client's attendance on a regular basis.
 - e. When a client is accepted for enrollment into a day care program, transportation must be arranged for the individual to and from his home. The social worker should explore the resources available to provide transportation and, if possible and appropriate, family members and public transportation should be used. The day care program is required to provide transportation in accordance with the needs of participants and should assume responsibility for arranging transportation for the individual if no other resources are available.
3. Participation in Adult Day Care Services on an On-Going Basis
- a. The social worker should maintain regular contact with the individual and day care staff to be sure the individual is receiving satisfactory care and services in relation to his needs. As part of this regular contact, the social worker should visit the day care program as often as the client's situation dictates and at least every six months, to see the participant in the day care setting.

During these contacts, the social worker should discuss with the participant his attitude about involvement in the day care program and whether or not he perceives it as beneficial. The social worker should have input into the development of the individual's day care service plan, and should consult with day care staff as needed and appropriate, and at least every six months, regarding the individual's status in relation to this plan.

The social worker should be available to day care staff, the participant, and the participant's family for consultation regarding any problems which may develop concerning the individual's experience in adult day care.

- b. In determining the continued appropriateness of adult day care for an individual, several factors should be considered. For many persons, the care and supervision provided through adult day care will be necessary on a long-term basis. For these persons adult day care provides the supportive services necessary to maintain the current level of functioning. For others, however, significant progress may be made, to the extent that the individual no longer needs the intensive level of care provided in the day care setting. Also, there will be persons whose condition deteriorates to the point that adult day care no longer meets their needs and other arrangements must be made.

For those persons who are able to significantly improve their level of functioning through participation in the day care program, consideration should be given to reducing the number of days in attendance, with the ultimate goal of terminating participation if the individual is able to maintain his functional level. Such changes should be made gradually, with the understanding and agreement of the individual and his family, as appropriate. A primary consideration is the extent to which there are other resources in the community which are available to the participant.

A. Responsibilities of State Division of Social Services

It is the responsibility of the Division of Social Services to develop standards and policies for the delivery of adult day care services by county departments of social services and day care providers; and for all actions regarding certification of adult day care programs, based on the report and recommendation of the county department of social services and the Adult Day Care Consultant in the central office.

The Adult Day Care Consultant in the Division of Social Services will work with county departments of social services and day care providers regarding the development of adult day care services, interpretation of standards for certification and related issues.

The regional Adult Program Representatives are available to county departments of social services for consultation regarding the development of adult day care services as part of a county social services system.

B. Responsibilities of the County Department of Social Services

In counties where there is an adult day care program, the department of social services must designate a social worker to act as Adult Day Care Coordinator and carry out the responsibilities described in this section.

C. Certification Requirement

Beginning January 1, 1986, all adult day care programs must be certified by the Division of Social Services as meeting adult day care standards adopted by the Social Services Commission. In effect, the legislation requiring certification (G.S. 131D-6) moves this responsibility into the licensure arena and establishes penalties for violation of the standards.

Certain programs are exempt from certification under G.S. 131D-6. These are:

1. "Programs" that care for three people or less;
2. Programs that care for two or more persons, all of whom are related by blood or marriage to the operator of the facility;
3. Programs that are required by other statutes to be licensed by the Department of Human Resources.

The legislation defines the programs that must be certified, taking into account the above exceptions, as "the provision of group care and supervision in a place other than their usual place of abode on a less than 24 hour basis to adults who may be physically or mentally disabled." Therefore, when county staff becomes aware of a program for adults whom is operating or planning to operate in the county, a decision must be made, based on the above criteria, as to whether the county needs to contact the program regarding certification. The program may not necessarily identify itself as adult day care, per se, in program name or advertising materials. It is the responsibility of the county to determine if the program is subject to the provisions of 0.5.131D-6.

The County will need to examine the following circumstances in making the determination. It must be kept in mind that some existing programs may be providing a combination of services. It will be necessary to isolate the service area that appears to meet the definition of adult day care services before considering compliance with G.S. 131D-6.

1. Any program which is serving a group of adults who do not reside at the facility and who require care and supervision because they are mentally or physically disabled must be considered unless they are exempt because:
 - a. the program is licensed or required to be licensed by the Department of Human Resources under rules governing licensure of a service other than adult day care services, or
 - b. the program is certified or intending to be certified as an Adult Day Health Services program. This does not exempt programs which are operating a combination Adult Day Care Day Health program.
2. Senior Centers are not covered by these standards. These are non residential programs which provide services at a lower level of care on the continuum of care. The distinction between the two programs is based on the population utilizing the service. Adults attend a Senior Center on an unscheduled basis and do not require care and supervision. Although they may be physically or mentally disabled, they are able to function at a lower level of care.
3. Some special needs organizations offer group services to individuals who have a specific disabling physical condition and the focus of the program is the maximization of the individual's personal resources with a goal of mainstreaming rather than care and supervision. These programs would not meet the definition of adult day care.
4. Some programs may provide respite care on a 24 hour basis. If all of the individuals served by the program remain in the facility for 24 hours, the program would not meet the definition of adult day care. However, if some of the participants return to their own homes after attending the program during the day, these individuals would have to be considered in making the determination.
5. Any program which meets the definition of adult day care is exempt if there are three or fewer individuals receiving care; or if two or more individuals receiving care are all related by blood or marriage to the operator.

Should the county have any difficulty securing information regarding the program or need any assistance in making the determination, contact the Adult Day Care Consultant of the Division of Social Services.

D. Consultation

The Adult Day Care Coordinator should be able to provide information and assistance to individuals and organizations regarding the nature and scope of adult day care services, the need for the service within the community and guidelines to follow in developing an adult day care program. Refer to appendix A for resource information on this topic.

The appropriateness of potential service providers is an important consideration in terms of their orientation to services and whether or not their philosophy is compatible and consistent

with the nature and purpose of adult day care. For example, an organization developed to operate recreation programs may require particular assistance in understanding the scope of adult day care services with recreation as one aspect of the total program. The Coordinator should be available to explain and interpret standards for certification and the certification process to parties interested in developing an adult day care program. The Coordinator should assist such parties in understanding the effect of standards on their proposed program.

The Coordinator should be aware of and assist day care programs in identifying community agencies and organizations which may be resources in terms of increasing the variety and strengthening the activities and services offered through the day care program. Some possible resources are listed in Appendix A.

The Coordinator should work with day care programs in making changes necessary for compliance with certification standards, and helping to insure that changes are appropriate and consistent with standards.

In any instance that the Coordinator observes that improvement could be made in any aspect of the day care program operation, the Coordinator should discuss the proposed improvement with the director. It should be understood that limited funds and staff may affect the extent to which improvements can be made; however, the possibilities should be explored with the idea of attempting to identify other sources of funding, if necessary. Also many improvements can be made without an outlay of funds.

Adult day care programs are required to review and evaluate their operation and services at regular intervals. The Coordinator should participate in this process, if asked, in order to assist the program in identifying strong and weak points and in suggesting ways of improving service delivery.

E. Certification Procedures

1. The county department of social services is responsible for all activities at the local level concerning program certification. Such activities include certification reviews and monitoring of the day care program to insure that standards are met on an ongoing basis.

In order to carry out this responsibility, the Adult Day Care Coordinator must become familiar with all aspects of program operation including administration, activities and services provided and client and program records.

2. The procedures for Certification are described in Section VI of the Adult Day Care and Day Health Services Standards for Certification Manual. It is the responsibility of the day care program to request necessary inspections and to make such requests sufficiently in advance to give adequate time for such inspections to be made within the timetable for certification. The Coordinator should explain this responsibility to the day care director or operator and provide the forms and names of inspectors to contact.
3. The DSS-I500, Adult Day Care Services Program Certification Report, must be completed by the Coordinator for initial and annual certification reviews and for other actions as listed on the Report form. This form serves as the Department of Social

Services report and recommendation to the Division of Social Services regarding certification. (See Appendix C for sample of the DSS-1500.)

4. For initial certification, the review process should begin as policies are developed, staffs are employed, and the facility is readied for occupancy. By reviewing plans and draft policies, the Coordinator can identify any areas of noncompliance with standards and make recommendations for changes so that necessary corrections can be made before program policies are finalized. An adult day care program may not be certified until standards are met; however, it should be understood that if a program is new, some areas will be incomplete (for example, participant and program records). In such instances, the Coordinator should review plans and capability to comply with standards.
5. A day care program may be certified for a maximum period of twelve months, with the certification period always ending on the last day of the twelfth month. The certification renewal process is the dual responsibility of the Coordinator and director of the adult day care program. It is suggested that the process be initiated at least (90 days in advance as the county's report and recommendation (DSS-1500) must be received in the Division of Social Services at least 30 days but no more than 60 days prior to the end of the certification period. By initiating the recertification review early, some problems may be corrected at the local level prior to submitting the report and recommendation to the Division of Social Services. While the coordinator shares in this process it is the program director's responsibility to ensure that all additional material that is to be attached to the DSS-1500 and required by standards for certification renewal is forwarded to the county department of social services within the established time frames.
6. The Adult Day Care Consultant or another staff person from the Division of Social Services will visit each adult day care program with the coordinator as part of the initial certification process. Arrangements for the visit are made with the Coordinator after the Program Certification Report (DSS-1500) and certification package are received in the Division of Social Services. The Adult Day Care Consultant reviews plans for activities and services, written policies, evaluation activities, client and program records, inspections and other aspects of program operation as needed during the visit. After the visit, based on the county's report and recommendation and the results of the joint visit, a decision is made by the Division of Social Services regarding certification.

As a part of the certification renewal process, the Adult Day Care Consultant will review the certification package submitted by the Coordinator. Based on the county's report and recommendation, a decision will be made by the Division of Social Services regarding certification. The Adult Day Care Consultant or another staff person from the Division of Social Services may visit the adult day care program as a part of the certification renewal process. The Coordinator may request a visit from the Adult Day Care Consultant when the Program Certification Report (DSS-1500) and certification package are sent to the Division, or the Consultant may make arrangements with the Coordinator for a joint visit.

F. Monitoring Procedures

The county department of social services is the monitoring agent for the day care program insofar as compliance with certification standards is concerned. The Coordinator is responsible for visiting the program at least once monthly and more frequently if necessary, to review the program's operation, compliance with standards, and follow up on recommendations made during the certification review and in previous visits. The monitoring visit may be viewed in a positive way by the Coordinator and director or operator, in that the Coordinator acts as consultant as well as monitor and has a supportive role in helping the program to strengthen the quality of service provision through compliance with standards.

During each visit, the coordinator should observe activities in progress, talk with individual participants about their involvement in the program, review the calendar of events and menus, and review any aspects of program operation about which the Coordinator has a question. The Adult Day Care Coordinator should refer to the previous monitoring report(s) and review any concerns/deficiencies noted. It is suggested that the Coordinator review in depth one aspect of the program per visit in order to become knowledgeable about the total operation of the program. For example, one month the visit may focus on service plans, the next on program records, the next on the facility, etc. Priority should be given to potential or identified problem areas. Any discrepancies or problems observed should be discussed with the director or operator during the visit. Recommendations made in previous monitoring visits or the annual certification review should also be discussed. The Coordinator should take note of improvements and program accomplishments and acknowledge such achievements with program staff.

G. Documentation of Monitoring Visits

The Adult Day Care Coordinator must complete either the Adult Day Care and Day Health Monitoring Report (DSS-6214) or the Notice of Violation (DSS-6215) or both if appropriate, following the instructions provided with the sample reports in the appendices. When completed, the forms should be promptly distributed, as indicated on the bottom of the form. The DSS-6214 is used to acknowledge the program's improvements/achievements; identify concerns; initially cite deficiencies that do not involve the health, safety, or welfare of the participants or that were corrected in the presence of the ADC Coordinator; and offer any other information useful to the program. The Coordinator should be specific in outlining the issues discussed during the visit and any actions to be taken in consequence. The form must be promptly distributed as indicated on the form. The program's representative must be given the opportunity to record comments on the DSS-6214 regarding anything cited.

The Coordinator must use the Notice of Violation Report (DSS-6215) when there is:

- (1) Recurring non-compliance with Standards that was previously documented on the DSS-6214 during a previous monitoring visit, or
- (2) Violations that involve the health, safety or welfare of the participants.

At the time it is determined that the non-compliance issue cannot be rectified at once and meets this criteria, the DSS-6215 will serve to identify the specific standard(s) with which the program is out of compliance, the reason that the program is considered to be out of compliance with each standard cited, and the date by which the program must again meet the

standard. The Coordinator must sign and date the form and have the director or someone representing the director, sign and date the form. Copies must be promptly distributed.

(1) Citation of Standards

The specific standard(s) with which the program is out of compliance must be clearly identified on the written notification. It will not be necessary to copy the standard(s) on the notice but reference must be made to the standard(s) in the Adult Day Care and Day Health Services Standards for Certification. The Coordinator should enter the complete outline reference for the standard as set forth in the Standards Manual. To assure understanding, the Coordinator should also locate the standard in the Standards for Certification manual, point it out to the director, and explain why the program is not meeting the standard(s). The explanation should also be documented on the DSS-6215.

(2) Completion Date

The Coordinator must discuss with the director the corrective action required to bring the program into compliance. A reasonable date must be established within the allowable time-frame by which the corrective action must be completed. The maximum time allowed for corrective action is based on the severity of the violation and the effect of the violation on the participants of the program:

- (a) Where a violation presents a clear and immediate hazard to the participant's health or safety, the program director is required to take immediate corrective action to correct the source of danger or to remove the participants from the source of danger. This means that the date established for corrective action must be the the same date that the Coordinator identifies the violation and completes the notification form (DSS-6215). The program should be cautioned that failure to complete corrective action on that day will place it in a position of being in willful violation and that the certification law (G.S. 131D-6) specifies that "any person, firm, agency, or corporation that harms or willfully neglects a person under its care is guilty of a misdemeanor.
- (b) Where a violation has the potential to endanger the participant's health, safety or welfare, corrective action must be completed no later than 30 days after the written notification.
- (c) Where a violation does not directly endanger the participants, such as a violation of administrative or record keeping standards, corrective action must be completed no later than 90 days after the written notification.

When the program is in violation of more than one standard, each standard must be cited on a separate DSS-6215 and the reason given as to why the program was determined to be out of compliance with each standard. Different completion dates for correcting each of the standards may be established, but in no instance may the completion date exceed the limitation for the type of violation as defined above.

3. Corrective Action

Corrective action must be taken by the program for any violation of standards. the coordinator and the director must discuss the violation to assure the program's clear understanding of the reason it was determined to be out of compliance, what change(s) needs to be made to bring the program into compliance, the date(s) by which the program's corrective action must be completed, and the possible consequences if timely corrective action is not taken.

The program must develop a written corrective action plan specifying what steps will be taken to bring the program into compliance. The plan is to be documented on the DSS-6215.

4. Follow-up

The Coordinator is responsible for assuring that timely corrective action is taken. This must be done by means of a site visit to review the standard(s) which were not being complied with and the corrective action taken by the program. Documentation of the follow-up visit must be on the DSS-6214 or DSS-6215. When planned corrections have not been made within the time frame allowed, the ADC coordinator must do one of the following: notify the program director in writing that they have failed to comply with the plan of correction, and/or initiate another plan of correction. It is important that the Division of Social Services receive information regarding ongoing noncompliance with the standards in order to determine in collaboration with the county if negative action against the program should be taken. The Division will notify the program in a timely manner in the event that negative action is to be taken.

H. Negative Actions

Any negative action will be the responsibility of the Division of Social Services based on information submitted by the county. Copies of any notice of negative action will be sent to the Coordinator.

1. Provisional Certification

Certification status will be changed by the Division of Social Services to a provisional status under the circumstances set forth in Section VI.E of the Standards for Certification Manual. For two of the circumstances, the provisional status is designed to allow the program to continue operating for a designated period beyond its annual renewal date. A provisional certification may be granted to a program when the program does not meet all standards at the time of recertification, but the completion date of corrective action is after the ending date of the certification period, and when the certification renewal package is incomplete or has not been received by the Division of Social Services in time for a thorough review prior to making the certification decision. This will be done by the 15 day of the month in which the certificate would expire. In this way, it assures that certification continues without interruption until the program can be evaluated for compliance.

The other circumstance under which the certification status will be changed to provisional status is when the program has failed to complete corrective action within the established time frame. According to policy, the program will be considered to be in willful violation of the standards. Procedures for revocation of certification and

imposition of a penalty will be initiated as soon as this determination is made but, because of due process, revocation cannot take effect until 20 days after the program receives the revocation notice. In the interim between the notification of willful violation and the effective date of revocation, the program's certification status will be changed to provisional. Provisional certification can be effective on the date of the program's receipt of the notice.

2. Termination of Certification

- a. Certification will automatically terminate at the end of a certification period if the Division of Social Services has not received the certification renewal package from the county by the last day of the certification period.
- b. Certification will automatically terminate when the governing body changes. This means when ownership in its entirety is transferred if it is a proprietary program or, if the program is private nonprofit or public agency, when the board of directors is dissolved. This does not mean changes in board membership which occur in accordance with the by-laws of the corporation.
- c. When the program moves to another location, certification will automatically terminate. The program should be reminded well in advance of a move that it must follow certification procedures and submit its certification package within the required time frame for the new facility. Prompt submission of the required certification material through the county will avoid any delay in the review of the material by county and Division staff prior to making the certification decision.

3. Denial of Certification

A program must meet all standards in order to be certified initially. Certification will be denied by the Division of Social Services if all standards are not met. A notice to that effect will be sent to the program and will become effective 20 days after the receipt of the notice.

4. Revocation of Certificate

Revocation will become effective 20 days after the program receives the notice. If the program is not closed by the effective date, unless an appeal has been properly filed, the Coordinator must notify the Division of Social Services. When a program receives a notice of revocation, the program director must inform each participant and participant caretaker, as appropriate, of the notice and the basis on which it was issued.

5. Summary Suspension

In accordance with G.S. 150B-3(c), if the Division finds that the health, safety or welfare of the participants requires emergency action and incorporates this finding in its notice, the certificate may be summarily suspended. Notice of the summary suspension shall be affected by serving the program director by personal delivery or certified mail, the summary suspension will be effective on the date specified in the notice or upon service of the notice, and whichever is later.

6. Penalty

The Division of Social Services may impose a penalty upon receipt of information from the county, via Form DSS-6215, Adult Day Care and Day Health Notice of Violation Report, that the program continues to be out of compliance after the corrective action completion date.

VII. Guidance for Applying Standards

Standards for certification of adult day care programs are contained in the Adult Day Care and Day Health Services Standards for Certification manual. They are not intended as standards for day hospitals, day treatment programs and other medically oriented day services. Therefore, such programs may not be certified under these standards.

The Coordinator should be knowledgeable about the standards and able to assist service providers in understanding them. The following information is intended to clarify and explain certain standards or sections of standards. References in this material are to specific sections and pages of the standards. Additional clarification and interpretation may be obtained from the Adult Day Care Consultant in the Division of Social Services.

A. Governing Body (Section I.A., pages 2-3)

1. There are specific areas of responsibility which must be carried out by the governing body or operator. If the day care program is governed by a board of directors, the bylaws should address these areas in defining the scope of the board's responsibilities.
2. For purposes of the annual audit requirement, it is the responsibility of the governing body to either perform the audit or secure the services of someone to do it. In any case, the audit may not be performed by the same individual who actually posted the records.
3. The program policy statement should be designed so that it can be distributed to participants, their families, community agencies, and to Board members, governmental agencies and anyone else that should be made aware of the day care program operation and services.

B. Program Policy Statement

1. Enrollment Policies (Section I.B.2., page 4)

Enrollment policies should be specific in defining the population to be served, including any age restrictions and physical and mental conditions which cannot be accommodated in the individual day care program. Consideration should be given to the need for group balance and to participant demands on staff. It is suggested that the program address the extent to which it can serve persons with certain conditions, including any limits on the number of such persons who can be enrolled at one time. For example the program may be able to only accommodate at one time up to three persons in wheelchairs or four persons with diagnosed psychiatric disorders. The enrollment criteria should address such restrictions so that individuals and agencies that refer persons to the program will be aware of the program's policies.

The geographical area served by the day care program should be specified in the enrollment criteria. Different areas for service and for transportation may be defined, or an area limitation may be defined for transportation only.

2. Hours and Days of Operation (Section I.B.3., page 4)

Adult day care programs shall be responsive to the needs of participants and families in establishing hours and days of operation. Six hours per day and five days per week are the minimum amount of time a program may operate and be certified.

C. Personnel (Section II. A-C., pages 7-9)

1. Day care program staff must be employed in accordance with the standards. The coordinator has the authority and responsibility to review job descriptions, employee records, personnel policies, and hiring and orientation procedures to insure compliance.
2. The staffing pattern in the standards are the minimally acceptable ratios. If the day care program enrollment criteria provide for enrollment of persons who require a great deal of individual attention, consideration should be given to increasing the staff-participant ratio to insure that the needs of the participants are adequately met.
3. The program may use part-time staff to meet the staff-participant ratio, as long as the required number of staff for the program's attendance are present during the hours the program is in operation. Trained volunteers may be used as substitutes when regular staff is absent.

The required staff-participant ratio applies to attendance, not to capacity. In order for a program to be cost effective, it may elect to over enroll, that is, enroll more participants than would be allowed in relation to the number of staff at the facility, or it may elect to vary staff hours in relation to attendance patterns. In practice these procedures seem to work well. However, if a program elects to over enroll or stagger staff hours it must assure that qualified part-time staff will be available on any given day or part of a day to assure that the required staff-participant ratio is not exceeded. The program would be in violation of standards if the required ratio of staff to participants were not adhered to at all times.

In no instance may more participants attend the program on a given day than the number established by the certified capacity.

4. It is the responsibility of the governing body of the day care program to employ a director who meets the qualifications contained in this section and to document in writing to the county department the director's qualifications in terms of compliance with standards. The program director's job description should include the characteristics listed in paragraph 2, page 9 of the standards.

D. Volunteers (Section II.H., pages 13-14)

If volunteers are to be used in the day care program, it is essential that the planning, written information and orientation required in this section be completed before volunteers are introduced into the program. The decision to use volunteers should include consideration of availability of staff to provide guidance and supervision.

The Coordinator should review plans for using volunteers to be sure that the written description of duties and responsibilities is clear and specific, and that the volunteers will not be assigned duties which should be carried by regular staff. (For example, volunteers should not be responsible for maintaining participant records or for developing the program plans.)

E. The Facility

1. Kitchen Facilities (Section III. A.4.b. page 15)

In determining the adequacy of the kitchen, if meals are prepared there, the local sanitarian should be consulted. If more than twelve persons are to be served meals prepared in the kitchen, or if the program plans to use non-disposable dishes and flatware, kitchen sanitizing equipment is needed.

2. Day Care Programs in Multi-Use Facilities (Section III. C. page 18)

If a day care program is to be located in a building used at the same time for other activities, the following guidelines should be used in planning for the day care program.

- a. The area to be used by the day care program must be self-contained, separate and distinct with its own staff from all other activities taking place in the building. Separation must be sufficient to insure privacy. The day care area should be immediately recognizable as such, to avoid confusion
- b. The separate space must be adequate to meet certification standards, including square footage per person, space for group and individual activities, number of bathrooms and other specific requirements. A central kitchen may be shared with other programs if it is adequate and approved by the local sanitarian for the total number of meals to be prepared.

3. Building Construction (Section III. D., pages 18-19)

The county department of social services should be notified prior to beginning any construction or renovation of the building or grounds in order to provide an opportunity for review of plans and for recommendations to be made before plans are finalized. In addition, it is suggested that when the local building inspector, fire inspector and sanitarian inspect the building that they use specified report forms or an equivalent and note in writing their recommendations for changes which must be made for their approval.

4. Equipment and Furnishings (Section III. E., page 19)

Most day care programs will need only one cot or bed, as participants will not lie down unless sick. A foldaway cot is acceptable if stored in the day care facility and if there is a separate, quiet area where it can be quickly set up.

F. Planning Services for Individual Participants (Section IV.A.2., pages 20—21)

The service plan should be initiated at enrollment using the information obtained in preliminary interviews with the applicant and family or referral source to develop some general goals. It is important to include the applicant in the development of the service plan to the extent possible, to inquire about his interests and preferences in activities and to determine his perception of his needs and reasons for applying for enrollment in day care. As the service plan is reviewed, it is important to ascertain with the participant his assessment of his progress while in day care.

G. Program Plan (Section IV.A.3., pages 21-23)

The day care program plan should provide for a variety of activities on a daily basis. Community resources such as community colleges, cooperative extension service, health and mental health agencies, senior centers, libraries, and others should be used to the extent possible and appropriate. However, it should be understood that use of such resources does not relieve the responsibility of staff for planning and for supervision of all activities. Responsibility for supervision cannot be delegated to someone who is not an employee of the day care program.

H. Nutrition (Section IV. C., page 25)

Standards do not specify the extent to which consultation on nutritional needs must be provided to staff. All programs must have such consultation, regardless of whether meals are catered or prepared by the program. It is recommended that arrangements be made by the day care program for consultation on a regular basis with frequency determined by whether or not the program prepares its own meals and by the knowledge, training and experience of staff responsible for meal and snack planning and preparation. Resources for consultation include the Cooperative Extension Service and health department.

It is the day care program's responsibility to provide therapeutic diets as needed.

I. Transportation (Section IV. D., page 25)

The day care program must provide or arrange for transportation to be provided for participants in the geographical area defined by the program in the Policy Statement.

J. Emergencies and First Aid (Section IV. E., pages 25-26)

The plan for emergencies should be comprehensive in specifying what staff members are to do if an emergency occurs. For example, if there is a fire, staff responsibilities for clearing the building, calling the fire department, staying with participants, etc., should be addressed. In a medical emergency, one staff member maybe designated to stay with the sick participant, someone else to contact physician and family and others to stay with other participants.

Emergency drills are defined as reviews with staff of their responsibilities, including role-playing and step-by-step acting out of procedures. Such drills should be conducted on a regular basis, as frequently as necessary.

Standard first aid training offered by the American Red Cross may be obtained in a one-day session or in approximately eight hours (includes Adult CPR). Successful completion will result in 2 certificates being earned. Adult CPR is valid for one year; and standard First Aid, valid for 3 years. Current certification is required. Training must be renewed prior to the expiration date of the current certification. Some training resources are the Red Cross, technical schools, community colleges and rescue squads.

K. Medication (Section IV. F., pages 26-27)

The administering of medications in adult day care programs is an area that must be closely monitored by program staff. The program's policy for administering medications shall be included in the Program Policy Statement.

1. While standards permit medications to be administered as authorized by the responsible caretaker, this is limited to over-the-counter medications and not prescription medications. In such instances, written authorization from the responsible caretaker is encouraged. In the event that the program staff is concerned regarding the caretaker's authorization for certain over-the-counter medications, procedures in the Adult Day Care and Day Health Services Standards for Certification IV.A.2.b should be followed. These procedures indicate that any unusual behavior, change in mood, change in attitude, suggestion of family problems or personal problems, need for help or services will be reported to the appropriate person. This may include contacting the participant's family or appropriate social services personnel. In the event of an emergency the program shall arrange for medical assistance as authorized by the family during the initial enrollment. This would include contacting the participant's physician regarding any adverse reaction to any medications.
2. The program must determine and document each participant's ability to keep and administer their own medications. A decision to not allow participants to keep their own medications should be based on input from the participant, caretaker and the medical staff completing the initial and annual medical examination. The participant's previous history of medication compliance should be taken into consideration in reaching this decision.
3. Documentation indicating that a participant has been determined unable to care for their own medications should be maintained in the participant's file.
4. A record of all medications given to each participant must be kept indicating each dose given including the following:
 - (a) Participant's name;
 - (b) Name, strength, and quantity of the medication;
 - (c) Instructions for giving medication;
 - (d) Date and time medication is administered; and name or
 - (e) Initials of person giving the medication, initials are used; a signature equivalent to those initials is to be entered on this record.

L. Program Evaluation (Section IV. G., page 27)

It is important to distinguish between the plan for evaluation, which should be a statement of how the annual evaluation is to be carried out, by whom, and what it will cover, and the report of the annual evaluation. The plan for evaluation should serve as a guide in conducting the evaluation and, as such, should be specific in describing the timetable, procedures, parties to be involved and topics to be covered.

M. Participant Records (Section V., pages 28-29)

1. Confidentiality

Client records should be considered confidential information by the day care program. Information contained in such records should be shared only with appropriate day care program staff and with others only after authorization has been obtained from the participant or other responsible party. Records should be stored in a safe place, with access only by appropriate day care staff.

A signed authorization to receive and distribute confidential information must be obtained each time a request for client information is made from a different party. A blanket authorization which does not identify the parties requesting and releasing information is not sufficient to comply with this standard.

2. Publicity Efforts Involving Day Care Participants

In any instance that the day care program engages in publicity efforts in which participants are involved in any identifiable way, the program should obtain prior written approval from the participant. If the participant is enrolled in the day care program by a family member or other responsible person, that party's approval should also be obtained.

N. Day Care Programs Serving More than One County

1. It is permissible for a day care program to serve more than one county. The following factors should be considered by the day care program in deciding whether or not to do so:
 - a. The proximity of the day care program to other counties and the length of time involved in transporting persons.
 - b. The extent to which other counties have funds available to purchase adult day care services and/or whether or not there are individuals living in the area who could pay the cost of the service themselves.
 - c. The logistics of referral to and assistance in using appropriate community resources for persons who do not live in the county in which the day care program is located.
2. If the day care program is able to resolve these issues satisfactorily, the following steps must be taken in expanding the geographical area served to include all or part of a second county.
 - a. Enrollment criteria must specify the geographical area served, including a statement of the counties involved.
 - b. An agreement must be negotiated with the second county department of social services if that agency plans to purchase adult day care services.
 - c. The department of social services of the county where the facility is located must continue to carry the responsibilities set forth in this manual

and must be notified of the day care program's plans and of how it intends to deal with the issues listed in Paragraph 1.

O. Capacity and Attendance

The maximum number of persons for whom a day care program is certified is based on the available space, furnishings, and rest rooms. Enrollment may exceed the certified capacity, but the number of persons in attendance on a daily basis cannot exceed the capacity. At any time the number of participants in attendance exceeds capacity, the program is in violation of certification.

Day care programs are encouraged to provide an opportunity for applicants to visit for part or all of a day before being enrolled in the program. Such visits are not to be counted in daily attendance. In most instances, one visit should be sufficient to acquaint the applicant with staff and program.

P. The DSS-Operated Adult Day Care Center

If county departments of social services wish to operate adult day care programs, the following guidelines must be followed in addition to compliance with certification standards.

1. An agency-operated day care program must have a minimum capacity of at least six participants.
2. Responsibility for program monitoring and certification must be assigned to a staff member other than the day care director. The staff member with this assigned responsibility must carry out all activities as described in Section 5125.

Q. The Adult Day Care Home

1. The adult day care home is a day care program operated in a single family dwelling and serving a maximum of six persons. Usually there is one staff member, the operator, who carries responsibility for all aspects of the program.
2. The day care home can be an effective way of providing adult day care services in sparsely populated, rural areas where there is insufficient need and justification for an adult day care center. In addition, the day care home may be advantageous for some people who are more comfortable in a small group home-like setting.
3. Standards for certification distinguish in some areas between requirements for day care homes and centers. Requirements for programming and client records are the same, regardless of the capacity of the program.

VIII. Vendor Agreement Policies and Procedures

This section contains policies for determining the amount of reimbursement for adult day care services paid to a provider within the standard fixed rates established in the vendor agreement.

A. Terms

1. **Maximum Payment Rate** - This is the monthly payment rate set by the Social Services Commission for daily care and transportation. It is the maximum amount on which federal and state financial participation will be reimbursed to the county department of social services for daily care/transportation for any eligible client. This amount is designated as a standard fixed rate for purchase of adult day care services through a vendor agreement.
2. **Negotiated Rate** - This is the monthly payment rate for daily care and transportation specified in the vendor agreement. It is based on a standard fixed rate and is negotiated between the county department of social services and the provider. It may be the same as the Maximum Payment Rate or more than or less than the Maximum Payment Rate. If the rate is more than the Maximum Payment Rate, no federal or state financial participation will be available for the amount above the Maximum Payment Rate.
3. **Daily Purchase Rate** - This is the Maximum Payment Rate or Negotiated Rate for daily care and transportation divided by 21.67 days. County departments of social services may not claim State or Federal reimbursement for any amount above the Maximum Payment Rate.

B. Reimbursement

Payment to the program is based on the enrollment plan, and begins on the date specified on the DSS-5027 and continues until terminated.

It should be understood that enrollment in the day care program is different from attendance at the program. The negotiated rate is paid to the program according to the enrollment plan for each client. A client is enrolled for either a full month, or for a partial month when enrollment begins after the first of the month or terminates before the end of the month. Additionally, a client may be enrolled full-time or part-time. Full-time enrollment means that the client is enrolled for five days a week during each week. Part-time enrollment means that the client is enrolled for less than five days a week during each week.

1. When a client is enrolled full-time for a full month, the monthly negotiated rate is paid to the program.
2. When a client is enrolled full-time for a partial month, a Daily Purchase Rate must be established and payment is made for the number of days that the client is enrolled. The number of days is computed by counting the number of weekdays during the month that the client is scheduled to attend without regard to absences or days that the program is closed.
3. When a client is enrolled part-time, the daily purchase rate is paid for the number of days that the client is enrolled. The number of days is computed by counting the number of days that the part-time participant is scheduled to attend. This

applies to full months of enrollment as well as to partial months of enrollment. For example if the enrollment plan which has been developed with the program specifies that the part-time participant is scheduled to attend every Monday, Wednesday and Friday then the program would be reimbursed the daily purchase rate multiplied times the number of Mondays, Wednesdays and Fridays in that month without regard to absences or any days that the program is closed in accordance with their policy statement.

C. Attendance

Because of the frailty of the population being served, absences may be a common occurrence. It is important for the case manager to become involved if it appears that the participant is not utilizing the service as planned. The vendor agreement should include a requirement that the program notify the county department of social services when an enrollee has been absent for five consecutive scheduled days. In calculating consecutive scheduled days do not count weekends, holidays, planned staff work days and days the center is closed because of hazardous weather conditions.

The purpose of this notification is to alert the case manager that the service plan may no longer be appropriate and that the circumstances which are preventing the client from utilizing the service as planned should be explored with the client. The case manager would then make a decision as to whether it would be appropriate to terminate the service, hold the slot through the use of a holding fee as defined in the following paragraph, or revise the enrollment plan. In any case, the program must be involved and, in the case of termination of services, must be notified via the DSS-5027.

D. Holding Fee

The county department of social services may pay a holding fee to the program to prevent disruption of service. The circumstances under which the holding fee will be paid and the amount of the holding fee must be included in the vendor agreement (DSS-2252) between the county department of social services and the provider. In determining the need for establishing a holding fee, the county should take into consideration the requirement for timely notification to the client of termination of services. (Family Services Manual, Volume VI, Chapter II).

Payment of a holding fee is intended to assure continuity of care for a reasonable period of time when an adult must be absent due to illness or other situations. It is not intended to substitute for termination of inappropriate or severely underused day care enrollments. County department staff should follow those cases of chronic absences and determine whether continuation of the service is necessary or if a change in the enrollment plan would be appropriate.

E. Client Fees

1. When a county purchases the service through a vendor agreement, client fees are to be deducted from the Negotiated Rate.
2. In instances in which a client is required to pay fees for daily care and transportation and the imposed fees are deducted from the Negotiated Rate, the amount of the Department of Social Services payment to the service provider is determined based on the amount of the Negotiated Rate. The total payment to the service provider, including the Department of Social Services payment and the client fees, may not exceed the Negotiated Rate for Daily Care and Transportation.

Appendix A 8/1/1986

Resource Information

The following information is intended to assist Adult Day Care Coordinators in working with individuals and organizations interested in establishing adult day care programs. Much of this information is general and inquiries will need to be made to obtain correct information about resources at the local level.

1. In response to an inquiry from someone interested in developing an adult day care program, the Adult Day Care Standards for Certification manual must be sent to the interested party and an appointment should be scheduled for a conference to discuss their plans.
2. The following information should be discussed with the interested party as appropriate.
 - a. The nature and scope of adult day care services. Refer to Sections 5100 through 5115 of this chapter and to the Certification Standards manual.
 - b. The need for adult day care within the community or county. Possible sources of information are the agency's service planning and budgeting materials, surveys of agency adult services case loads, the local council on aging and the regional council of government planning and aging units. The potential service provider may wish to advertise the service to determine interest in the community.
 - c. Guidelines to follow in developing an adult day care program. It should be understood that a quality day care program cannot be established in a matter of days or weeks, and that it may take from three—four months to two years to organize and implement a program. Variables include available funding, whether or not a building has to be constructed or renovated and the extent to which the sponsor has an organizational structure which can act quickly in developing and finalizing program guidelines and policy.
 - d. Certification requirement and certification standards in general.
 - e. The role and authority of the county department of social services and the Division of Social Services. The interested party should understand the importance of keeping the coordinator informed as the day care program develops.
 - f. Possible sources of funding. The coordinator should be knowledgeable about the extent to which the county department of social services may be a funding resource for adult day care programs. Other possible sources of funding and resources to reduce program costs include:
 - (1) Department of Public Instruction. Reimbursement for meals and snacks may be available through the Department of Public Instruction-Child and Adult Food Program. Contact the Department of Public Instruction Child Nutrition Services Section for additional information.
 - (2) United Way

- (3) Local churches and civic groups. Some organizations may provide a scholarship fund to pay for one or more persons to attend the day care program.
- (4). Local industry (for donations of money and/or craft supplies and equipment)
- (5) Home and Community Care Block Grant (HCCBG) Funding for the purchase of service may be available through the HCCBG. Contact the county lead agency for information about these funds.
- (6) Title V Senior Community Service Employment Program. Employment opportunities for low-income individuals 55 or older in community service activities. For information regarding this program contact the N.C. Division of Aging.

- g. Community agencies and organizations which may be resources for — day care program. Some possibilities are:
 - (1) Cooperative extension service, for presentations on a variety of topics related to home management and nutrition.
 - (2) Health department, which may provide a nurse for regular visits to the day care program to check blood pressures, etc.
 - (3) Senior centers for a wide range of planned activities.
 - (4) Technical institutes and community colleges for courses in adult basic education, crafts, first aid, etc.
 - (5) Public libraries
 - (6) Churches or ministerial association
 - (7) Recreation department
- h. The need to be aware of any applicable zoning ordinances. The city and county managers' offices should be resources for questions regarding zoning.
- i. The local fire and building inspectors and sanitarians. Prior to making a commitment on a building, it should be inspected by these parties to determine the extent to which changes will be necessary to comply with regulations. It is recommended that certification inspection forms be used to provide documentation of recommendations. The Coordinator should visit the building and note square footage, rest rooms, etc.
- j. The location of nearby adult day care programs. If the prospective service providers have not done so already they should be encouraged to visit one or more adult day care programs.
- k. The need to plan carefully. Consider anticipated demand for the service and expected income in relation to the proposed capacity of the program and its effect on staffing, vehicles and facility.

3. The Day Care Coordinator may be asked to give a statement of need to a prospective adult day care program for use in applying for a loan. This would relate to the number of people in need of adult day care in the county. If the day care program is to serve a specific group, such as the aging, information should —e provided regarding the estimated number of such persons in the state and county.

4. Resources for information about adult day care include the following:

- N. C. Adult Day Care Association

- (The Adult Day Care Consultant can supply the name and address of the current president)

- N. C. Division of Social Services Adult Day Care Consultant

- National Institute on Adult Day Care
National Council on the Aging, Inc. 409
Third Street, S.W.
Washington, DC 20024 (202) 479-1200

Appendix B 3/1/1993

Suggested Issues to be addressed in Statement of Agreement

This information is presented to suggest issues regarding services to be provided which should be addressed in a Vendor Agreement between the department of social services and an adult day care program. The statements made here constitute one approach to dealing with these issues and should be used as a guide only; the actual negotiated agreement should be based on the local situation and should include issues considered significant by the parties involved. These issues would be addressed in the DSS-1292, Attachment A of the Vendor Agreement.

1. The day care program will be open five days each week, except for county designated holidays and hazardous weather conditions, in which case the local (specify) public school policy will be followed. One working day per month the program will be closed for a staff work day, to provide time for staff conferences, planning and training activities. The day care program will notify the department of social services of this date a month in advance.
2. The department of social services will provide supportive services and consultation to the day care program regarding participants certified by the department and regarding program operation. Supportive services regarding participants include: assistance in developing and reviewing service plans; scheduled consultation regarding participant needs and concerns; evaluation and planning with the participant and program staff at least annually regarding the effectiveness of and ongoing need for adult day care.
3. The day care program will notify the department of social services of any instance in which consideration is given to termination of a DSS participant from the program. No decision for termination will be made without prior consultation with the department and without two weeks (fourteen days) notice to the department and participant.
4. The department of social services will be notified in the event of five unscheduled absences by a participant.
5. The day care program will have final authority to accept or deny applicants for enrollment based on written admission criteria and current enrollment. The department of social services will refer persons eligible for adult day care using the DSS-S027. The department of social services will provide, also, a summary of the person's need for services. The day care program will notify the department of action taken regarding the referral within seven days of receipt. Referrals from the day care program to the department for determination of eligibility will be reviewed and, as a general rule, the day care program will be notified within 30 days as to whether or not an individual is eligible.
6. The day care program will send to the county department of social services by the ____ day of each month a list of all referrals and actions taken regarding referrals and applications for the previous month.
7. The county agrees to pay a holding fee of \$_____ per day to hold a slot for a participant who has been absent but is likely to need to return to the program. The number of days the slot is to be kept open will be agreed upon by the county and the program at the time the county determines that the slot will continue to be needed.

The following issues relate specifically to adult day care homes:

1. The adult day care home operator agrees to take a maximum of ten days annual vacation leave without financial penalty and to notify the department of social services and participants one month in advance regarding plans to take leave.
2. The adult day care home operator agrees that a maximum of ten days annual sick leave may be taken without financial penalty. The operator agrees to notify the department of social services immediately when such leave must be taken.

Appendix C

ADULT DAY CARE SERVICES PROGRAM FORMS

- 1. DSS-1500: Adult Day Care Certification Report**
- 2. DSS-6214: Adult Day Care/Day Health Monitoring Report**
- 3. DSS-6215: Adult Day Care/Day Health Notice of Violation of Standards**